



Public Information Office  
**United States Courts for the Ninth Circuit**

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**NEWS RELEASE**

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## **Court of Appeals to Visit Las Vegas for Sitting at UNLV Boyd School of Law**

SAN FRANCISCO – The United States Court of Appeals for the Ninth Circuit will hold a special sitting March 2 at the William S. Boyd School of Law on the campus of the University of Nevada at Las Vegas. Oral arguments will be heard in the Thomas & Mack Auditorium, beginning at 10 a.m. A photo ID will be required to enter the courtroom.

An appellate panel consisting of Circuit Judges Sidney R. Thomas of Billings, Montana; M. Margaret McKeown of San Diego; and Jay S. Bybee of Las Vegas will consider appeals of three cases decided by the federal trial court for the districts of Arizona and Nevada. The cases on the docket are:

- *United States v. Millis*, in which Daniel Millis appeals the Arizona district court's order affirming his conviction, following a bench trial before a magistrate judge, for littering on a national wildlife refuge. Case 09-10134.
- *Wilson v. Stratosphere Corp.*, in which Edward Wilson and Eric Miles, on behalf of themselves and others similarly situated, appeal the Nevada district court's summary judgment in favor of Stratosphere Corporation in plaintiffs' diversity action alleging claims under the Nevada Consumer Fraud Statute and the common law theory of unjust enrichment. Plaintiffs reserved rooms at the Stratosphere Hotel and Casino through online vendor, Hotels.com, and were charged a \$5 per night "resort fee" which was not included in the advertised room rate. The district court found that Hotels.com, not the Stratosphere, was obligated to disclose the resort fee to its customers, and plaintiffs' claims lie with Hotels.com. Case 09-15347.
- *In Re Anonymous Online Speakers*, in which anonymous online speakers petition for a writ of mandamus in an action by Quixtar, Inc., (formerly known as Amway) against Signature Management TEAM, LLC, alleging violation of the Lanham Act, trade secret

misappropriation, and tortious interference with contract and with advantageous business relations. Quixtar is a marketing business that distribute products and services through individual distributors known as independent business owners. Quixtar alleges that the anonymous online speakers, acting on behalf of TEAM, committed tortious interference by weighing in on a public dispute between Quixtar and independent business owners associated with TEAM. The non-party speakers challenge the Nevada district court's ruling that Benjamin Dickie, the online content manager for TEAM, must testify as to his knowledge of the speakers' identities. Quixtar cross-petitions for a writ of mandamus. Case 09-71265.

The Ninth Circuit Court of Appeals hears appeals of cases decided by federal agencies and federal trial courts in nine western states and two Pacific Island jurisdictions. The court normally meets monthly in Seattle, San Francisco and Pasadena, every other month in Portland, twice per year in Honolulu and once in Anchorage. A complete schedule of cases is available online at <http://www.ca9.uscourts.gov>.

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